

Opening Remarks of Representative Jamie Raskin (MD-08) As Prepared

Democratic Member Roundtable: “The Bill of Rights in the Balance: The Deployment of Federal Troops Against The American People.”

August 4, 2020

As the country attempts to reckon with its sordid history of racism, the President, rather than rising to the occasion to try to participate in this dialogue, instead has tried to use these magnificent, nonviolent protests—cheered on by our late and beloved colleague, John Lewis—as the setting to create violent confrontations and to score cheap political points for his floundering reelection campaign.

Nowhere has this been more obvious than in Portland, Oregon. On July 10, the President announced that he and Acting Secretary Chad Wolf had sent a surge of federal agents to Portland because the situation was “out of control” and “the locals couldn’t handle it.” The very next night, federal officers shot 26-year-old Donavan La Bella in the head with a rubber bullet as he held a speaker over his head across the street from the federal courthouse.

It was clear from the beginning that this exercise—while a political priority of the White House—is far outside DHS’s mission scope. Every former DHS Secretary who served prior to the Trump Administration has spoken out against the planned operations. President Bush’s first DHS Secretary, Tom Ridge, issued a stark warning that DHS “wasn’t designed to become the President’s personal militia.” Bush’s second Secretary, Michael Chertoff, called it “politically performative.” Janet Napolitano called it “totally inappropriate,” and Jeh Johnson warned that DHS was engaged in a “systematic violation of federal civil rights” whose images were “virtually indistinguishable” from authoritarian governments.

State and local leaders protested, but for weeks, the DHS presence in Portland only intensified. The federal agents in Portland had no specialized training in how to respond to mass demonstrations, a form of inexperience which has resulted in gross and intolerable abuses of protesters’ civil liberties and bodily security. With each passing day, DHS agents’ blatant disregard for the Constitution and legal constraints became increasingly clear to the country.

The nation bore witness to previously unimaginable misconduct by agents of the United States government. Among the misconduct was the abduction of protesters without probable cause by unidentified agents in unmarked vans.

We are lucky to have two protesters here today who were the direct victims of thuggish acts of aggression by federal officers. One, Mr. Christopher David—a Navy veteran now known online as “Captain Portland”—was assaulted by federal officers when he approached them to ask if they remembered their oaths to the Constitution. These officers proceeded to pepper spray him in the face at point-blank range, beat him with batons, and left him with a broken hand.

Another protester who joins us today is Mark Pettibone. As Mr. Pettibone was leaving a protest, an unmarked van approached him and his friend. Men in military fatigues jumped out and, without giving their identification or any reason why, seized Mr. Pettibone and placed him into the van. As Mr. Pettibone will tell us, at no point during his detention was he told who was detaining him or why he was being detained. Only after numerous denials did Customs and Border Protection finally admit that their agents had unlawfully arrested Mr. Pettibone.

It is an equally flagrant violation of the rule-of-law for officers engaging in this gross misconduct to be dressed in anonymous, military-style garb, without clear identifiers about what subagency they belong to, or agents’ names.

The inability of civilians to clearly identify precisely and hold accountable the men who are beating them on the street or stuffing them into unmarked vans is a unique menace to the civil rights and civil liberties of protesters. If our democracy means anything, federal agents must be clearly distinguishable from white supremacist thugs or far-right paramilitaries.

DHS’ behavior in Portland is part of a much more systematic and ongoing assault on our democracy by this Administration. The use of highly politicized law enforcement agencies to escalate violence against protesters is a hallmark strategy of authoritarian regimes across the globe.

DHS operated in Portland as a kind of secret police for the Trump Administration, answerable not to the Constitution and the Bill of Rights, but to the political priorities of a President who is desperate to create the appearance of chaos in Democratic cities to salvage his reelection campaign.

While DHS agents are reportedly being withdrawn from Portland, the sight of men in military fatigues clashing with the protesters whom President Trump has denounced as violent anarchists and antifa terrorists will linger in the imagination of the President’s supporters. This “performative authoritarianism” echoes authoritarian regimes around the world.

The President has already threatened to deploy federal agents to other American cities with Democratic leaders. History teaches us that we are obligated to speak out loudly and ferociously when our leaders begin to turn military-style forces on their own people simply because they

disagree with their arguments. It has never been more important for us to denounce the kind of authoritarian tactics we have seen in Portland, and to remind the American people that this is neither normal nor acceptable.